

FILED

2008 JUN 6 PM 2:34
CIVIL
C 321 DEPUTY

1 YOUR NAME Mark Scott
2 YOUR ADDRESS P O Box 181936 Coronado, CA 92178-34
3 YOUR TELEPHONE NUMBER 619 370 7575

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8

9
10 UNITED STATES DISTRICT COURT
11 SOUTHERN DISTRICT OF CALIFORNIA
(Must start on line 8 or below)

12 Mark Scott
13 -v-
14 Vessel
15 Orion
16 _____

08 CV 1016 JM BLM
Case No. _____
(To be assigned at time of filing)

17 COMPLAINT FOR (Brief description of document)

18 Plaintiff alleges: See Attached cover letter.
19 I provided services for Commercial Vessel
20 Orion under believe I would charter
21 passengers on fishing trips in Mexican Waters
22 for hire.

Mark Scott 6-6-08

June 6, 2008

The last week of March and 1st week of April of 2008 under my Merchant Mariners license for Dave Hammel for the purpose of securing 6 pack passenger certificate, and purported to take passengers fishing in Mexican waters did perform the following duties for vessel "Orion".

Dave Hammel ask for and got the following:

1. Resume
2. Copy of Captain's license
3. Letter of reference of previous boatowners I did service for.

I carried out the following duties:

- * Inspected boat and listed items to correct for coast guard inspection
- * Called Fish and Game; city Hall and Dept. of transportation on cost and obtainment of permits for Orion
- * Noted Engine and Generator defects and went to Shelter Island Marine Engine outlets for parts and costs
- * Got rush drug screen required of me by Coast Guard inspection
- * First Saturday of April made small voyage to shelter Island police dock with Mr. Hammel and friend of his named Walter, was nice day and was nice trip.
- * Made Inspection date with Coast Guard, and I was present and submitted Mariners license and drug screen to Volunteer C.G. Inspector Wessi Berri; who listed some changes and would revisit vessel Orion.

My presence made the inspection possible; Dave Hammel held the final Inspection and hours after the sticker was attached told me bye and have a nice day.

continued: *Mark Scott*

I told Dave Hammel I would submit a bill for my services. I was told we had no agreement. I mailed Mr Hammel a bill of 1,600 dollars I derived at 200 dollars per day for eight days of service and placed lien on vessel Orion for that amount.

I got the impression that Mr. Hammel has a flippant attitude towards the rules and purpose of having licensed personnel and the respect of laws for vessels at sea.

This court filing is against the vessel Orion that the lien might be upheld by seizure and padlock the vessel where she sits by U.S. marshalls.

Thank you
Mark Scott

1. secure with the overboard valve
2. Mast like anchor let fix
needs almanac
notice to mariners
current
emergency deck of
alcohol packets
3. March M/S report

~~██████████~~

Insurance ^{Wendy} ~~Sam~~
Dave Hammon
Blumenthal 7287
830 Orange st #2
619 435 6534
Boat "Orion" Fishing
his friend Harry
at Marinaside
619 226 8661
also Ron Gulland
Yacht Finders Brokers
delivery trips
Bishop 686 6277
800 333 4636 info
Port Authority
619 686 6200
~~██████████~~

571-5123
Coast Guard Inspection
All Gole 278-7247
Wally Bell 278-7248
August 278-7249

Californian Yacht
101 Shipyard Hwy Cabin C
New Port Beach Ca
92663
Fax 949 675 1580
Pawnetta
4-12 15. 135 750
4-25 33. 84 440
4-21 27. 219 310
4-20 9. 50
260
84.00
+ \$105 916.05 + 0.00

"No Thurs."
Inspection Date
4-22 a Harbor Dr
Divides to whale
No 8 pier
Orion
TUES 10 AM
1975 42

California Marshal
Santa Clara Park, CA
P.P.O.C. 1501 Polk St
423-742 3163-4163
Borg Warner Floyd
183 hrs Perkins
7-160
Ben 7.5 kilowatt
On 24 120.00

SERIAL NUMBER

1045074

UNITED STATES COAST GUARD

ISSUE NUMBER 6

UNITED STATES COAST GUARD

COAST GUARD

U.S. MERCHANT MARINE OFFICER

This is to certify that

*** MARK PLEASANT SCOTT ***

*having been duly examined and found competent by the undersigned is licensed to serve
for the term of five years from the below issue date as:*

MASTER OF STEAM OR MOTOR VESSELS OF NOT MORE THAN 100 GROSS TONS UPON NEAR
COASTAL WATERS; ALSO, MASTER OF TOWING VESSELS UPON OCEANS.-"SEE REVERSE"

Given under my hand this 10th day of October, 2003.

E. L. Woodson

E. L. WOODSON, SENIOR LIEUTENANT
OFFICER IN CHARGE, MARINE INSPECTION

ISSUE PORT: LONG BEACH, CA
EXPIRATION DATE: OCTOBER 20, 2008



QUEST DIAGNOSTICS INCORPORATED
CLIENT SERVICE 800.877.2515

SPECIMEN INFORMATION

SPECIMEN: EN351368Y
REQUISITION: 8201705

COLLECTED: 03/20/2008 10:00 PT
RECEIVED: 03/21/2008 23:30 PT
REPORTED: 03/22/2008 08:08 PT

PATIENT INFORMATION
SCOTT, MARK

DOB: 09/24/1955 AGE: 52
GENDER: M FASTING: U

ID: 805188302
PHONE:

REPORT STATUS FINAL

ORDERING PHYSICIAN
GINN, KATHRYN L

CLIENT INFORMATION
W92101081 SD015280
CC-COMPREHENSIVE HLTH CENTER
SAN DIEGO RESCUE MISSION
120 ELM ST FL 1
SAN DIEGO, CA 92101-2602

Test Name	In Range	Out of Range	Reference Range	Lab
DRUG ABUSE PANEL 10-50				EN

* THESE RESULTS ARE FOR MEDICAL TREATMENT ONLY *
* ANALYSIS WAS PERFORMED AS NON-FORENSIC TESTING *

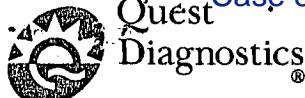
AMPHETAMINES (1000 ng/mL SCREEN)	NEGATIVE
BARBITURATES	NEGATIVE
BENZODIAZEPINES	NEGATIVE
COCAINE METABOLITES	NEGATIVE
MARIJUANA METABOLITES (50 ng/mL SCREEN)	NEGATIVE
METHADONE	NEGATIVE
METHAQUALONE	NEGATIVE
OPIATES	NEGATIVE
PHENCYCLIDINE	NEGATIVE
PROPOXYPHENE	NEGATIVE

* Reference footnote 1

Footnote 1

THE SUBMITTED URINE SPECIMEN WAS TESTED AT THE LISTED CUTOFFS AND
CONFIRMED BY A SECOND INDEPENDENT CHEMICAL METHOD.

DRUG CLASS	INITIAL TEST LEVEL
AMPHETAMINES	1000 ng/mL
BARBITURATES	300 ng/mL
BENZODIAZEPINES	300 ng/mL
COCAINE METABOLITES	300 ng/mL
MARIJUANA METABOLITES	50 ng/mL
METHADONE	300 ng/mL
METHAQUALONE	300 ng/mL
OPIATES	300 ng/mL
PHENCYCLIDINE	25 ng/mL
PROPOXYPHENE	300 ng/mL



QUEST DIAGNOSTICS INCORPORATED

PATIENT INFORMATION
SCOTT, MARKREPORT STATUS **FINAL**COLLECTED: 03/20/2008 10:00 PT
REPORTED: 03/22/2008 08:08 PTDOB: 09/24/1955 AGE: 52
GENDER: M FASTING: U
ID: 805188302ORDERING PHYSICIAN
GINN, KATHRYN L

Test Name	In Range	Out of Range	Reference Range	Lab
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PERFORMING LABORATORY INFORMATION

QUEST DIAGNOSTICS-WEST HILLS, 8401 FALLBROOK AVENUE, WEST HILLS, CA 91304-3226, Laboratory Director: KENNETH L SISCO, MD
CLIA: 05D0642827

DUPLICATE REPORT WILL BE SENT TO:

COMPREHENSIVE HEALTH CENTER
SAN DIEGO RESCUE MISSION
120 ELM ST FL 1
SAN DIEGO, CA 92101-2602

Document Type: CLAIM_OF LIEN

Batch Number: 635958

Document ID: 8791897

User ID: SCANNER5

Filed Date/Time: 28-APR-2008 06:46 PM

CLAIM OF LIEN

Name of Claimant: Mark P. Scott

Address of Claimant: P.O. Box 181936
Coronado, CA 92178

In accordance with USC Title 46, Chapter 313-25, the above named person(s) hereby claim(s) a
Maritime lien against the following vessel:

Name of Vessel: ORION

Official Number: 1048577

Nature of Claim: LABOR

Date of Creation: 3/28/2008

Amount of Claim: \$1,600.00

Dated: 4/24/2008

By: Mark P. Scott

State of: California
County of: San Diego

KAREN L. WILLIAMS

On 4-24-08, 2008 before me, Mark P. Scott, personally appeared Mark P. Scott who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS MY HAND AND OFFICIAL SEAL.Signature of Notary Karen L. Williams

Commission Expires: _____

CAPACITY CLAIMED BY SIGNER:

(Individual
(Corporate _____
Officer(s) _____
title(s) _____

(Partner(s)
(Attorney-In-Fact
(Trustee(s)

(Subscribing Witness
(Guardian/Conservator
(Other _____



Dona Jenkins

MARITIME DOCUMENT SERVICE, INC.

1050 Rosecrans Street, Suite 3

San Diego, CA 92106

Phone (619) 223-2279

Fax (619) 223-1002

e-Mail: Info@donajenkins.com

D
J

INVOICE

Mark P. Scott
P.O. Box 181936
Coronado, CA 92178

No. 32050

April 24, 2008

RE: ORION Vessel No: Official # 1048577

Claim of Lien (Dona Jenkins fee and Coast Guard
fee) 215.00

Subtotal 215.00

TOTAL \$215.00

Paul \$115.00 cash

\$100 - due

Paid in full 5/21/08





United States Coast Guard

Maritime Information eXchange

Port State Information eXchange

[CGMIX Home](#)[PSIX Home](#)[PSIX Search](#)[Definitions](#)[Contact Us](#)

Skip Navigation



The Port State Information eXchange (PSIX) system contains vessel specific information derived from the United States Coast Guard's Marine Information Safety and Law Enforcement System (MISLE). The information contained in PSIX represents a weekly snapshot of Freedom of Information Act (FOIA) data on U.S. flag vessels, foreign vessels operating in U.S. waters, and Coast Guard contacts with those vessels. Information on unclosed cases or cases pending further action is considered privileged information and is precluded from the PSIX system.

Results for Vessel: ORION

Vessel Information:

Vessel Name: ORION
VIN: 1048577
Hull Number:
Vessel Flag: UNITED STATES
Vessel Call Sign:
Build Year: 1975

Vessel Particulars:

Service: Passenger (Uninspected)
Length: 41.3 ft
Breadth: 13.7 ft
Depth: 3.3 ft
Alternate VINs: 1048577, IMO Number:

Service Information:

Service: In Service
Out Of Service Date: N/A
Last Removed From Service By: N/A

Tonnage Information:

Deadweight:
Gross Tonnage(GRT): 12
Net Tonnage(NRT): 10
Gross Tonnage(GT ITC):
Cargo Authority:

Vessel Documents and Certifications

Document	Agency	Date Issued	Expiration Date
CERTIFICATE OF DOCUMENTATION	USCG	July 12, 2007	August 31, 2008

Featured Links

[USCG Official Site](#)
[USCG FOIA Information](#)
[Vessel/Facility Security](#)
[Pinn Review Status](#)
[PSIX FAQ/Help](#)
[USCG Web Access Policies](#)
[Additional Links...](#)

Summary of Coast Guard Contacts

View Data From (MM/DD/YYYY): 4/24/2003 **To:** 4/24/2008

[Back to Top](#)

[Printer Friendly Version](#)

Last Update:
 Monday, April 21, 2008

4-24-08

Coast Guard Vessel Documentation

confirmed
Dept. 2/27/08

Data found in current database.

Vessel Name:	ORION	USCG Doc. No.:	1048577	
Vessel Service:	COMMERCIAL FISHING VESSEL	IMO Number:	*	
Trade Indicator:	Coastwise Unrestricted, Registry	Call Sign:	*	
Hull Material:	FRP (FIBERGLASS)	Hull Number:	JCM042421075	
Ship Builder:	MARSHALL BOAT COMPANY	Year Built:	1975	
Hailing Port:	SAN DIEGO CA	Length (ft.):	41.3	
Owner:	ORION FISH BOAT COMPANY LLC 830 ORANGE AVE J-2 CORONADO, CA 92118	Hull Depth (ft.):	3.3	
		Hull Breadth (ft.):	13.7	
Previous Vessel Names:		Gross Tonnage:	12	
		Net Tonnage:	10	
Previous Vessel Owners:		BRUCE E MURPHY		

April 24, 2008

Capt. Mark P. Scott
P.O. Box 181936
Coronado, Ca. 92178

Mr. Dave Hamner

You are being billed for research
input and personal attendance and
acting on behalf and interest of
motor vessel Orion Doc. # 1048577
in obtaining Coast Guard Cert.
as Captain.

TOTAL DUE 1600.00

Sincerely
Mark P. Scott

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Mark Scott

(b) County of Residence of First Listed Plaintiff San Diego Co
(EXCEPT IN U.S. PLAINTIFF CASES)

Pls. see

PO Box 181936 Colorado C

92178

(c) Attorney's (Firm Name, Address, and Telephone Number)

DEFENDANTS

Vessel / Onion / Date 6/6/08 / M.S.

County of Residence of First Listed Defendant San Diego Co

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

'08 CV 1016 JM BLM

DEPUTY

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

 1 U.S. Government Plaintiff 3 Federal Question (U.S. Government Not a Party) 2 U.S. Government Defendant 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Citizen of This State

PTF DEF

Incorporated or Principal Place of Business In This State

PTF DEF

Citizen of Another State

PTF DEF

Incorporated and Principal Place of Business In Another State

PTF DEF

Citizen or Subject of a Foreign Country

PTF DEF

Foreign Nation

PTF DEF

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 362 Personal Injury - Med. Malpractice	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 365 Personal Injury - Product Liability	PROPERTY RIGHTS	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 381 Other Personal Property Damage	SOCIAL SECURITY	<input type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage - Product Liability	<input type="checkbox"/> 861 HIA (1395f)	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 390 Other Civil Rights	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 810 Selective Service
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 411 Voting	<input type="checkbox"/> 863 DIWC/DIW (405(g))	<input type="checkbox"/> 830 Securities/Commodities/ Exchange
<input type="checkbox"/> 195 Contract Product Liability	REAL PROPERTY	<input type="checkbox"/> 441 Employment	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 875 Customer Challenge 12 USC 3410
<input type="checkbox"/> 196 Franchise	CIVIL RIGHTS	<input type="checkbox"/> 442 Housing/ Accommodations	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY	PRISONER PETITIONS	<input type="checkbox"/> 443 Welfare	LABOR	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 892 Economic Stabilization Act	
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 511 Habeas Corpus:	<input type="checkbox"/> 720 Labor/Mgmt. Relations	<input type="checkbox"/> 893 Environmental Matters	
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 530 General	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act	<input type="checkbox"/> 894 Energy Allocation Act	
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 895 Freedom of Information Act	
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 540 Mandamus & Other	<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 910 Appeal of Fee Determination Under Equal Access to Justice	
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 950 Constitutionality of State Statutes	
<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 555 Prison Condition	FEDERAL TAX SUITS		
		<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)		
		<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609		

V. ORIGIN

(Place an "X" in One Box Only)

 1 Original Proceeding 2

Removed from State Court

 3

Remanded from Appellate Court

 4

Reinstated or Reopened

 5

Transferred from another district (specify)

 6

Multidistrict Litigation

Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing. (Do not cite jurisdictional statutes unless diversity): Maritime Law USC 1107

Brief description of cause:

Failure to pay mariner of services commercial vessels

VII. REQUESTED IN COMPLAINT:

 CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMANDS

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

None (See instructions)

JUDGE

DOCKET NUMBER

DATE

6-6-08

Mark Scott

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFFP

JUDGE

MAG. JUDGE